

LIQUOR AND BEER MEETING
LOCAL LICENSING AUTHORITY
CITY OF GRAND JUNCTION, COLORADO
CITY/COUNTY AUDITORIUM, 520 ROOD AVENUE

M I N U T E S

WEDNESDAY, APRIL 2, 1997, 8:00 A.M.

I. **CALL TO ORDER** - The meeting was convened at 8:07 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and City Clerk Stephanie Nye.

II. **APPLICATIONS FOR TRANSFER OF OWNERSHIP**

1. Petro-Mark Convenience Stores, Inc., dba Petro-Mark Convenience Stores, Inc., 3.2% Beer, **Continued from March 19, 1997 meeting**

- A. 2494 Highway 6 & 50
- B. 2526 Broadway
- C. 2903 North Avenue
- D. 2498 F Road
- E. 2525 North Avenue
- F. 201 North Avenue

A and B. Transfer of Ownership from Petro-Mark Corporation, Montrose, Inc., to Petro-Mark Convenience Stores, Inc.

President: Keith R. Holder, 107 Country Club Park, Grand Junction
Secretary: Paul Rath, 369 Martello Drive, Grand Junction

C, D, E and F Transfer of Ownership from Diamond Shamrock Refining & Marketing to Petro-Mark Convenience Stores, Inc.

President: Keith R. Holder, 107 Country Club Park Grand Junction
Secretary: Paul Rath, 369 Martello Drive, Grand Junction

Doug Fraser, general manager, and Gary Owen, district manager, were present representing Petro-Mark Convenience Stores, Inc. Mr. Fraser apologized for not being present at the last Liquor and Beer Hearing. All the applications were in order and approved.

III. **APPLICATION FOR NEW LICENSE**

1. Petro-Mark Convenience Stores, Inc., dba Petro-Mark Convenience Stores, Inc., 502 Grand Avenue. 3.2% Beer

President: Keith R. Holder, 107 Country Club Park Grand Junction
Secretary: Paul Rath, 369 Martello Drive, Grand Junction

Mr. Doug Fraser and Mr. Gary Owen were present representing Petro-Mark Convenience Stores, Inc. on this new application also. City Clerk Nye read into the record the report to the Licensing Authority (see attached). Assistant City Attorney Shaver stated the survey results show a slight majority, 2 votes, in opposition to the issuance of the license. The state statutes have been complied with and the results do not show an overwhelming majority in opposition. Mr. Shaver saw no reason to not issue the license. The application was approved and ordered sent to the state. City Clerk Nye stated before any remodeling was done on the premises, the applicant would need to apply for a modification of premises.

IV. APPLICATION FOR MODIFICATION OF PREMISES

1. Michael and Kathleen Haldeman dba Horizon Liquors, 715 Horizon Drive, Retail Liquor

in Mike Haldeman was present. City Clerk Nye stated the application was order. The applicant brought to Ms. Nye's attention that there is a college campus within 500 feet, but this was established after the applicant's business was established. Assistant City Attorney Shaver stated according to the State Statute 12-37-148, the principal campus could be ignored if the licensee predated the campus which would apply in this instance. There was no opposition present. Hearing Officer Coebergh concurred with Mr. Shaver and approved the application.

V. HEARING ON APPLICATION FOR SPECIAL EVENTS PERMITS

1. Application by Latin-Anglo Alliance Foundation for a Malt and Vinous Liquor Special Events Permit for "Cinco De Mayo" on May 3, 1997 from 9:00 a.m. to 11:00 p.m. to be located on Main Street from 5th to 7th Street

Applicant: Latin-Anglo Alliance Foundation, Inc.
President: Rafael Quintana, 3015 Colorado Avenue, Grand Junction
Event Mgr: Jose A. Cruz, 535 Teco Street, Grand Junction

Jose Cruz was present. City Clerk Nye read into the record the letter to the Licensing Authority (see attached). Assistant City Attorney Shaver asked how many people were anticipated? Mr. Cruz stated approximately 5,000 people were expected to participate in the event. Mr. Shaver stated the state statutes have been met. The application was approved.

2. Application by Grand Junction Downtown Association for a Malt and Vinous Liquor Special Events Permit for "Ride the Rockies" on June 14, 1997 from 7:00 a.m. to Midnight to be located on Main Street from 3rd to 5th Street

Applicant: Grand Junction Downtown Association
President: Stephen Jennings, 847 20 1/2 Road, Fruita
Event Mgr: Mike Heaston, 3505 N. 12th Street, D-10, Grand Junction

No one was present for the Grand Junction Downtown Association. Hearing Officer Coebergh continued this application to the April 16, 1997 meeting.

VI. ADJOURNMENT - The meeting was adjourned at 8:28 a.m.

NEXT REGULAR MEETING - April 16, 1997

Memo to: Local Licensing Authority

From: Stephanie Nye, City Clerk

Date: March 26, 1997

Subject: Application by Petro-Mark Convenience Stores, Inc., for a 3.2% Beer License at 502 Grand Avenue under the trade name of Petro-Mark Convenience Stores, Inc.

Petro-Mark Convenience Stores, Inc., a corporation, filed an application with the Local Licensing Authority on February 26, 1997, for a 3.2% Beer license, for the sales of 3.2% beer in sealed containers for consumption off the premises at 502 Grand Avenue under the trade name of Petro-Mark Convenience Stores, Inc. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for April 2, 1997. The Notice of Hearing was given by posting a sign on the property on March 32, 1997 and by publishing a display ad in The Daily Sentinel on March 21, 1997.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant conducted a survey and defined the neighborhood as the area bounded by North

Avenue on the north, South Avenue on the south, 10th Street on the east and 1st Street on the west and included both sides of the streets as the outer boundaries. The results of that survey are as follows:

1. As an owner of property in the neighborhood, an employee or business lessee of property in the neighborhood and/or an inhabitant who resides in the neighborhood for more than six months each year: I believe the reasonable requirements of the neighborhood are already being met by other existing outlets.

Yes: 58
No: 94

2. As an inhabitant who resides in the neighborhood for more than six months each year: It is my desire that the license be issued.

Yes: 17
No: 18
Not Applicable: 2

No letters of opposition or counterpetitions have been filed to date.

The applicant, Petro-Mark Convenience Stores, Inc., is a corporation. Local criminal history has been completed for each corporate officer. No local criminal history on any of the corporate officers was found. Since the corporation has a Master File in Denver, no further processing through C.B.I. was necessary.

The City Code Enforcement Department has inspected the premises to insure compliance with the diagram submitted.

The number of similar-type outlets in the survey area is as follows:

3.2% Beer - 9 (City Market, Go-Fer Foods, Canyon Convenience #1, Stop 'N Save, Texaco Food Mart, Gay Johnson's, C & F Foods, Loco Food Store #12, Diamond Shamrock (Petro-Mark Convenience Stores, Inc.).

The number of similar-type outlets in a one mile area in addition to the above are:

3.2% Beer - 11 (Go-Fer Foods, Stop 'N Save, Lincoln Park Golf Club, This Is it Grocery, Canyon Convenience Store #2, City Market, Loco Food Store #11, Pay Less Drug Store, Albertsons Food Center #886, Petro Mark Western Slope, Diamond Shamrock (Petro-Mark Convenience Stores, Inc.)

That concludes this report.

CC: Petro-Mark Convenience Stores, Inc., Attention: Doug Fraser
John Shaver, Assistant City Attorney
Amy Clymer, Grand Junction Police Department

March 14, 1997

To Whom This May Concern:

The Latin-Anglo Alliance has been holding it's yearly Cinco De Mayo Festival for fourteen years in the same Downtown location. This activity is held on Main Street between 5th and 7th Streets: (1) because it is meant to be an outdoor activity and (2) because there is no facility large enough to handle the large number of people and vendors who participate.

In addition, there are no facilities within the designated area of this activity which could serve this number of people adequately with fermented malt beverages. For this reason, the Latin-Anglo Alliance requests approval of a one day special events Liquor permit.

Sincerely,

Jose A. Cruz
Latin-Anglo Alliance
Cinco De Mayo Event Manager